

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

Jul 25 2008
JUL 25 2008 MB

FABIO CARANI,

Petitioner,

S

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

versus

S

Civil No.: 07-CV-7040

Crim. No.: 05-CR-0150

UNITED STATES OF AMERICA,

S

Respondent.

NOTICE OF APPEAL

Now comes Fabio Carani ("Carani"), proceeding pro se, to respectfully give notice to this Honorable United States District Court that he wishes to appeal the denial of his motion for post-conviction relief made under 28 USC §2255. See Rule 11 of the Rules Governing Section 2255 Proceedings; see also Rule 4(a) of the Rules of Appellate Procedure. Accordingly, Carani asks this Court to make all necessary arrangements for him to prosecute an appeal to the United States Court of Appeals for the Seventh Circuit.

Respectfully Submitted on the 17 day of July of 2008.

Fabio Carani

Fabio Carani, pro se
Reg. No.: 21827-424
Federal Correctional Institution
P.O. Box 6001
Ashland, Kentucky 41105-6001

CERTIFICATE OF SERVICE

I, Fabio Carani, hereby declare and certify under the penalty of perjury, pursuant to 28 USC §1746, that the foregoing Notice of Appeal was sent to:

Office of the United States Attorney
219 South Dearborn Street
5th Floor
Chicago, Illinois 60604

by affixing it with the correct amount of prepaid, first-class postage and depositing it in the legal mail system at the Federal Correctional Institution at Ashland, Kentucky, for delivery to the intended recipient by the United States Postal Service.

Executed on the 17 day of July of 2008.

Fabio Carani
Fabio Carani, pro se
Reg. No.: 21827-424
Federal Correctional Institution
P.O. Box 6001
Ashland, Kentucky 41105-6001

SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 07cv7040

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

USA (appellee))	Fabio Carani
-----------------	--------------

(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Julie B. Rudner	Name	Fabio Carani
Firm	U.S. Atty/s Office	Firm	PRO SE #21827-424
Address	219 South Dearborn Street Chicago, IL 60604	Address	Ashland - KY P.O. Box 6001 Ashland, KY 41105
Phone	(312) 3535-530	Phone	

Other Information			
District Judge	Grady	Date Filed in District Court	12/14/07
Court Reporter	B. Wilson (5885)	Date of Judgment	n/a
Nature of Suit Code	510	Date of Notice of Appeal	7/25/08

COUNSEL: Appointed Retained Pro Se

FEE STATUS: Paid Due IFP
 IFP Pending U.S. Waived

Has Docketing Statement been filed with the District Court Clerk's Office? Yes No

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted Denied Pending

If Certificate of Appealability was granted or denied, date of order: _____

If defendant is in federal custody, please provide U.S. Marshall number (USM#): _____

IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01

Additional Counsel

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

APPEAL, DENLOW, TERMED

United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 3.2.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:07-cv-07040
Internal Use Only

United States of America v. Carani
Assigned to: Honorable John F. Grady
Cause: 28:2255 Remedies on motion attacking sentence

Date Filed: 12/14/2007
Date Terminated: 05/22/2008
Jury Demand: None
Nature of Suit: 510 Prisoner: Vacate Sentence
Jurisdiction: U.S. Government Defendant

Plaintiff**United States of America**represented by **AUSA**

United States Attorney's Office (NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 353-5300
Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED

Julie B. Ruder

United States Attorney's Office (NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 886-1317
Fax: 312-353-8298
Email: julie.ruder@usdoj.gov
ATTORNEY TO BE NOTICED

V.

Defendant**Fabio Carani**represented by **Fabio Carani**
#21827-424
Ashland – KY
P.O. Box 6001
Ashland, KY 41105
PRO SE

Date Filed	#	Docket Text
12/14/2007	<u>1</u>	MOTION to Vacate, Set Aside or Correct Sentence (2255) and one copy filed by Fabio Carani. (lcw,) (Entered: 12/19/2007)
12/14/2007	<u>2</u>	CIVIL Cover Sheet. (lcw,) (Entered: 12/19/2007)
12/14/2007	<u>3</u>	MEMORANDUM Of Law by Fabio Carani in support of petition to vacate, set aside, or correct sentence pursuant to 28 U.S.C. Section 2255. (Poor Quality Original – Paper Document on File) (lcw,) (Entered: 12/19/2007)
12/14/2007	<u>4</u>	POST MARKED envelope for initiating document by Fabio Carani (Document not scanned) (aew,) (Entered: 12/20/2007)
12/19/2007		(Court only) FORWARDED copy of motion and memorandum to U.S. Attorney's Office. (lcw,) (Entered: 12/19/2007)
12/20/2007	<u>5</u>	DESIGNATION of Julie B. Ruder as U.S. Attorney for Plaintiff United States of America (Ruder, Julie) (Entered: 12/20/2007)

01/02/2008	<u>6</u>	MINUTE entry before Judge John F. Grady :Response to petition to vacate, set aside, or correct sentence due by 02/08/08; reply due by 03/10/08. Said petition will be taken under advisement.Mailed notice (jlj,) (Entered: 01/02/2008)
01/28/2008	<u>7</u>	RESPONSE by Plaintiff United States of America to motion to vacate/set aside/correct sentence (2255) <u>1</u> (Ruder, Julie) (Entered: 01/28/2008)
02/21/2008	<u>8</u>	REPLY by Fabio Carani to the United States' Response in Opposition to petitioner's motion to vacate sentence under 28 U.S.C. Section 2255. (lcw,) (Entered: 02/25/2008)
03/12/2008	<u>9</u>	MINUTE entry before Judge John F. Grady : The petition to vacate sentence pursuant to 28 U.S.C. Section 2255 is denied as to Grounds 2, 3, 4, 6, 7, 8, and 9. The petition is entered and continued as to Grounds 1 and 5. The government may have until April 14, 2008 to file counter affidavits of counsel. Petitioner may have until May 12, 2008 to reply. SEE BELOW FOR DETAILS. Mailed notice (lcw,) (Entered: 03/13/2008)
04/10/2008	<u>10</u>	Supplemental Response of the United States to Section 2255 Petition by United States of America (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Ruder, Julie) (Entered: 04/10/2008)
05/14/2008	<u>11</u>	NOTICE Regarding Financial Affidavit by Fabio Carani. (lcw,) (Entered: 05/16/2008)
05/14/2008	<u>12</u>	MOTION by Defendant Fabio Carani to expand the record. (lcw,) (Entered: 05/16/2008)
05/14/2008	<u>13</u>	MOTION by Defendant Fabio Carani for leave to conduct discovery. (lcw,) (Entered: 05/16/2008)
05/14/2008	<u>14</u>	REPLY by Fabio Carani to Supplemental Response of the United States to Section 2255 Petition. (lcw,) (Entered: 05/16/2008)
05/14/2008	<u>15</u>	DECLARATION of Fabio Carani. (Poor Quality Original – Paper Document on File) (lcw,) (Entered: 05/16/2008)
05/22/2008	<u>16</u>	MINUTE entry before the Honorable John F. Grady: Petitioner's motion to expand the record is granted. Petitioner's motion for leave to conduct discovery is denied as moot. The petition to vacate sentence pursuant to 28 U.S.C. Section 2255 is denied as to Grounds 1 and 5. Because we have already denied the petition as to the remaining grounds, this disposition terminates the case. Petitioner's motion for leave to conduct discovery (which goes to the first Strickland prong) is denied as moot. Civil case terminated. Mailed notice (lcw,) (Entered: 05/23/2008)
05/22/2008	<u>17</u>	ENTERED JUDGMENT.(lcw,) (Entered: 05/23/2008)
05/22/2008	<u>18</u>	MINUTE entry before the Honorable John F. Grady: Petitioners motion to expand the record is granted. Petitioners motion for leave to conduct discovery is denied as moot. The petition to vacate sentence pursuant to 28 U.S.C. § 2255 is denied as to Grounds 1 and 5. Because we have already denied the petition as to the remaining grounds, this disposition terminates the case. SEE BELOW FOR DETAILS. Mailed notice (ca,) (Entered: 05/27/2008)
05/28/2008	<u>19</u>	LETTER from Fabio Carani dated 5/20/08 (Exhibit). (ca,) (Entered: 06/02/2008)
05/28/2008	<u>20</u>	AFFIDAVIT and Authorization for withdrawal from Inmate Account (Exhibits)(Poor Quality Original – (Paper document on file). (ca,) (Entered: 06/02/2008)
07/25/2008	<u>21</u>	MOTION by Defendant Fabio Carani for certificate of appealability. (air,) (Entered: 07/28/2008)
07/25/2008	<u>22</u>	NOTICE of appeal by Fabio Carani regarding orders <u>18</u> , fee waived. (air,) (Entered: 07/28/2008)